

1 RENE L. VALLADARES  
Federal Public Defender  
2 State Bar No. 11479  
REBECCA LEVY  
3 Assistant Federal Public Defender  
411 E. Bonneville Avenue, Suite 250  
4 Las Vegas, Nevada 89101  
(702) 388-6577/Phone  
5 (702) 388-6261/Fax  
6 Attorneys for Beverly Hardy

8 UNITED STATES DISTRICT COURT  
9 DISTRICT OF NEVADA

11 UNITED STATES OF AMERICA,  
12 Plaintiff,  
13 vs.  
14 BEVERLY HARDY,  
15 Defendant.

2:15-mj-310-PAL

**MOTION AND ORDER DIRECTING  
PAYMENT OF TRANSPORTATION  
EXPENSES**

**(Expedited Treatment Requested)**

17 COMES NOW the defendant, BEVERLY HARDY, by and through counsel, REBECCA  
18 LEVY, Assistant Federal Public Defender, and moves this Honorable Court for an order directing  
19 the United States Marshal to pay subsistence and travel expenses necessary for the defendant to  
20 travel to Cheyenne, Wyoming from her current residence in Las Vegas, Nevada by airplane, on  
21 Sunday, May 10, 2015, to appear in court on Monday, May 11, 2015 at 10:00 a.m., in the above-  
22 entitled matter for an Initial Appearance.

23 DATED this 4th day of May, 2015.

24  
25 RENE L. VALLADARES  
Federal Public Defender

26  
27 By: /s/ Rebecca Levy  
REBECCA LEVY  
Assistant Federal Public Defender  
28

**MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF MOTION FOR  
ORDER DIRECTING PAYMENT OF TRANSPORTATION EXPENSES**

18 U.S.C. §4285 provides that any United States judge or magistrate may direct the United States Marshal to arrange for the payment of the subsistence and travel expenses of a defendant who has been released on bail and who is obligated to make a subsequent appearance in any United States court when the interests of justice would be served thereby and the judge or magistrate is satisfied that the defendant is financially unable to provide the necessary transportation to appear in Court.

Defendant is currently residing in Las Vegas, Nevada and is unable to pay the cost of the trip to Cheyenne, Wyoming.

Because of her lack of funds, the defendant will be unable to travel from her home at 1150 N. Buffalo Drive #1013, Las Vegas, Nevada 89128 to 2120 Capital Avenue, Cheyenne, Wyoming, unless this Court directs the United States Marshal to pay her necessary travel and subsistence expenses. Cheyenne, Wyoming is a long distance from Las Vegas, Nevada and it will be necessary for her to travel to Cheyenne by plane. It has been determined that the defendant qualifies for the appointment of counsel pursuant to 18 U.S.C. § 3006A.

Pursuant to the Magistrate Judge's Order on March 27, 2015.

DATED this 4<sup>th</sup> day of May, 2015.

Respectfully submitted,

RENE L. VALLADARES  
Federal Public Defender

By: /s/ Rebecca Levy  
REBECCA LEVY  
Assistant Federal Public Defender

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
vs.  
  
BEVERLY HARDY,  
  
Defendant.

2:15-mj-310-PAL

**PROPOSED ORDER DIRECTING  
PAYMENT OF TRANSPORTATION  
EXPENSES**

On the motion of defendant Beverly Hardy, made pursuant to 18 U.S.C. § 4285, and good cause appearing therefor,

IT IS HEREBY ORDERED that the United States Marshal shall arrange for the defendant's noncustodial transportation, or furnish the fare for such transportation, to 2120 Capital Avenue, Cheyenne, Wyoming, from Las Vegas, Nevada on Sunday, May 10, 2015, to appear in court on Monday, May 11, 2015 at 10:00 a.m., in the above-entitled matter for an Initial Appearance in the District of Wyoming.

IT IS FURTHER ORDERED that the United States Marshal shall furnish the defendant with an amount of money for necessary subsistence expenses while en route to her destination, not to exceed the amount authorized as a per diem allowance for travel expenses under 5 U.S.C. §570(a).

DATED this 5th day of May, 2015.

  
UNITED STATES MAGISTRATE JUDGE

**CERTIFICATE OF ELECTRONIC SERVICE**

The undersigned hereby certifies that she is an employee of the Federal Public Defender for the District of Nevada and is a person of such age and discretion as to be competent to serve papers.

That on March 30, 2015, she served an electronic copy of the above and foregoing **MOTION AND ORDER DIRECTING PAYMENT OF TRANSPORTATION EXPENSES** (**Expedited Treatment Requested**), by electronic service (ECF) to the person named below:

DANIEL G. BOGDEN  
United States Attorney  
PAMELA MARTIN  
Assistant United States Attorney  
333 Las Vegas Blvd. So., 5<sup>th</sup> Floor  
Las Vegas, Nevada 89101

/s/ Karen Meyer  
Employee of the Federal Public Defender